

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION

Daniel Weiskopf, Elizabeth Weiskopf,

Plaintiffs,

v.

Tiny Cocoons, Inc., Yinan Liu, also known
as Chloe, Chris Baer,

Defendants.

Case No. 4:23-CV-71

PLAINTIFFS' OBJECTION TO MOTION FOR CONTINUANCE

Plaintiffs Daniel and Elizabeth Weiskopf object to Defendant Chris Baer's request for an additional eight-week continuance on case deadlines (Dkt. 38). Defendants' sole litigation strategy is delay. This has been the strategy here, and it has been the strategy employed by Mr. Baer in the other lawsuits brought against him by consumers and creditors. The delays prejudice the Weiskopfs, and Defendants have failed to show good cause for why additional continuances are warranted. The request should be denied.

Defendants' history of delay in this matter has been well-documented. Prior to the lawsuit, defendants took the Weiskopfs' money based on false promises to deliver a "Tiny House" in twelve weeks. Defendants then continued to mislead the Weiskopfs to delay them from uncovering the fraud. *See* Dkt. 29 at 3-5. During this lawsuit, defendants have successfully delayed discovery, including failing to provide meaningful responses to discovery served over five months ago and delaying the deposition of Ms. Liu scheduled for December 15, 2023. *Id.* 5-6. Defendants already received multiple extensions from this Court to engage replacement counsel, and Defendants have failed to do so. Dkt. 31, Dkt. 32, Dkt. 33.

Court dockets show that Mr. Baer has engaged in similar patterns of delay in other cases. Mr. Baer fails to meaningfully litigate; he delays the case as long as he can, including requesting continuances to seek counsel; he does not obtain counsel; and he attempts to resolve the cases once the court enters default judgments, and plaintiffs begin enforcement proceedings.¹ This pattern is illustrated in the following cases:

- *Bank of Wolcott Bank v. Baer Enterprises, Inc., Christopher T. Baer*, No. 91D01-2306-MF-000014 (White Superior Court). *Compare* Ex. 1 (Baer seeking continuance to “obtain additional information and appropriate counsel”), *with* Ex. 2 (docket showing Baer did not obtain counsel).²
- *Barbara White v. Baer Enterprises d/b/a True Tiny Homes, Christopher Baer*, No. 91C01-2109-PL-000024 (White Circuit Court). *Compare* Ex. 3 (Baer seeking continuance “to seek counsel”) *with* Ex. 4 (docket showing Baer did not obtain counsel).
- *364 Ventures, LLC v. Baer Enterprises d/b/a True Tiny Homes, Christopher Baer*, No. 91C01-2109-PL-000023 (White Circuit Court). *Compare* Ex. 5 (Baer seeking continuance “to seek counsel”) *with* Ex. 6 (docket showing Baer did not obtain counsel).

Mr. Baer should not be permitted to continue to use this excuse to delay the Weiskopfs from a long-overdue recovery of their funds. Mr. Baer has already had more than fifteen weeks to retain counsel and his pattern with other courts—and in this case—makes clear that this request is not genuine. All the while, the Weiskopfs’ nearly \$100,000—obtained by Defendants by fraud—is being held and used by individual defendants seemingly on the edge of financial insolvency and an entity that was dissolved days after the Weiskopfs threatened to file a lawsuit. Dkt. 29 at 5.

¹ It appears Mr. Baer resolved some of these cases with the money taken from the Weiskopfs. *See* Dkt. 35 at 3-4.

² Publicly available dockets were obtained from <https://public.courts.in.gov>.

Defendants have not shown good cause for further continuances to the Court's deadlines. Fed. R. Civ. P. 16(b)(4) (modifying schedule requires showing of good cause). The request should be denied and a case schedule should be entered consistent with the proposed schedule being submitted by the Weiskopfs on April 4, 2024, in compliance with the Court's prior order. Dkt. 33.

Dated: April 4, 2024.

Respectfully submitted,

DANIEL WEISKOPF

By: s/ Daniel M. Weiskopf

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CERTIFICATE OF SERVICE

On April 4, 2024, I served a copy of the following document on all Defendants via email

at:

christopherbaer@hotmail.com
yinanoliver@gmail.com

and via U.S. mail at:

Yinan Liu
2237 Delaware Drive
West Lafayette, IN 47906

Chris Baer
203 E 3rd Street
Brookston, IN 47923

Dated this 4th day of April, 2024, at Seattle, Washington.

By: s/ Daniel M. Weiskopf
Daniel Weiskopf
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